

REMARKS

This Reply is in response to the Office Action mailed on May 17, 2010 in which claims 12, 26, 29, 56 and 57 were objected to; and in which claims 1-11, 13-25, 27, 28, 30-34, 37-51, 54, 55 and 58-60 were rejected. With this response, claims 39 and 40 are canceled; claim 34 is amended; and claims 61-62 are added. Claims 1-34, 37-38, 41-51 and 54-62 are presented for reconsideration and allowance.

I. Rejection of claim 46-51 under 35 USC 102(a) or 102(e) based upon Asakura

Section 5 of the Office Action rejected claims 46-51 under 35 USC 102(a) or 102(e) as being anticipated by Asakura US Patent 6711362. For the reasons that follow, the rejections should be withdrawn.

A. Claim 46

Claim 46 recites a method which includes "coupling authorization data identifying authorized users of the resource to the resource." (Emphasis added)

Asakura fails to disclose the coupling of authorization data identifying authorized users of the resource to the resource. In contrast, Asakura discloses a method which prevents use of two types of "counterfeit" print cartridges: (A) print cartridges that are "not genuine" (i.e. pirated) and (B) print cartridges that are genuine, but have been recycled. To prevent the use of print cartridges that are "not genuine" Asakura employs a "user ID code" which identifies the supplier or source of the cartridge, i.e., the agency or service center which installed the cartridge in the printer. To prevent use of genuine cartridges that have been recycled, Asakura employs a count value which is incremented each time the cartridge with the count value is inserted into the printer to replace a different cartridge. Asakura does not couple authorization data identifying authorized users of the resource to the resource.

In rejecting claim 46, as well the other claims, the Office Action incorrectly characterizes what is actually taught by Asakura. Asakura does not disclose user ID "information". The use of

the term "information" incorrectly implies that information regarding the identity of a user is stored in the cartridge memory.

However, as noted above, Asakura merely indicates that a "user ID code" (not "user ID information") is stored on the cartridge. The phrase "user ID", by itself and taken out of context, is misleading. A complete reading of Asakura correctly reveals that the "user ID code" discussed by Asakura is in fact an identification of the supplier of the cartridge (the agency or service center which installed the original cartridge in the printer), NOT authorized users of the cartridge. For example, column 4, lines 12-14 specifically states, "when the toner cartridge 16-3 is a non-genuine pirated product, the user ID codes are not the same as described above." As known to those of ordinary skill in the art, a pirated product is a product from a non-authorized source. Identifying the user of the identification method disclosed by Asakura, the supplier or source of the cartridge, is quite different from identifying authorized users of the cartridge. They are not the same. Accordingly, the rejection of claim 46 should be withdrawn. The rejection of claims 47-51, which depends in claim 46, should be withdrawn for at least the same reasons.

B. Claim 48

Claim 48 depends from claim 46 and intervening claim 47. Claim 48 recites limiting use of the resource includes preventing any use of the resource "by an individual not included in the authorization data."

Asakura fails to disclose limiting use of the resource includes preventing any use of the resource "by an individual not included in the authorization data." Nowhere does enter disclose anything about the "user ID code" including individuals. Accordingly, the rejection of claim 48 should be withdrawn for at least this additional reason.

C. Claim 51

Claim 51 depends from claim 46 and intervening claim 47. Claim 51 recites that coupling authorization data includes coupling an optically readable code for providing the authorization data to the consumable resource.

Asakura fails to disclose coupling authorization data includes coupling an optically readable code for providing the authorization data to the consumable resource. The Office Action's rejection of claim 51 fails to articulate where Asakura allegedly discloses the limitations of claim 51. Moreover, Applicants respectfully direct attention to the indicated allowability of claim 29. Accordingly, it is believed that the rejection of claim 51 should be withdrawn.

II. Rejection of claims 1-11, 13-15, 18-25, 27, 28, 30, 33, 45 -51, 54, 55 and 59 under 35 USC 103(a) based upon Hanaoka and Asakura

Section 8 of the Office Action rejected claims 1-11, 13-15, 18-25, 27, 28, 30, 33, 45-51, 54, 55 and 59 under 35 USC 103(a) as being unpatentable over Hanaoka US Patent Publication 2006/0045595 in view of Asakura US Patent 6711362. For the reasons that follow, the rejection of claims 1-11, 13-15, 18-25, 27, 28, 30, 33, 34, 45-51, 54 and 55 should be withdrawn.

A. Claim 1

Claim 1 recites (1) an authorization granting interface coupled to the resource and configured based upon authorized users of the resource and (2) a processor that determines if a prospective user is authorized to use the resource based upon two factors: (A) the authorization input received by a user interface and (B) the authorization granting interface coupled to the resource.

Neither Hanaoka nor Asakura, alone or in combination, disclose: (1) an authorization granting interface coupled to the resource and configured based upon authorized users of the resource and (2) a processor that determines if a prospective user is authorized to use the resource based upon two factors: (A) the authorization input received by a user interface and (B) the authorization granting interface coupled to the resource.

1. Asakura does not disclose an authorization granting interface coupled to the resource and configured based upon authorized users of the resource.

In rejecting claim 1, the Office Action acknowledges that Hanaoka fails to disclose an authorization granting interface coupled to a resource that is configured based upon authorized users of the resource. As a result, the Office Action attempts to additionally rely upon Asakura and its use of the term "user ID code" in the specification.

However, as noted above with respect to the rejection of claim 46 Asakura alone, the term "user ID code", taken out of context from the rest of the disclosure of Asakura, is misleading. Although it is unclear whether this is a result of the translation of the originally filed Japanese application, what is clear is that the term "user ID code", used to identify counterfeit or pirated cartridges, does not identify AUTHORIZED USERS of the cartridge. At most, the user ID code merely appears to identify the source of the cartridge, the agency or service center which installed the cartridge in the printer. This would make sense given that the purpose of the user ID code is to prevent counterfeit or pirated cartridges, not to delineate a subset of persons who may use the cartridge. Accordingly, the rejection of claim 1 should be withdrawn for this reason alone.

2. Neither Hanaoka nor Asakura disclose a processor that determines if a prospective user is authorized to use the resource based upon two factors: (A) the authorization input received by a user interface and (B) the authorization granting interface coupled to the resource.

In rejecting claim 1, the Office action contends that Hanaoka discloses that "the printer authenticates user the cartridge by comparing a manually entered use permit ID ([0080]) with a previously stored use permit ID ([0073])". (Office Action dated May 17, 2010, page 4).

However, this is incorrect. Paragraphs [0069]-[0074] of Hanaoka disclose a main embodiment wherein a system executes two separate authorization processes. First, the system determines whether the inserted cartridge is the "dedicated" cartridge for use on the rental printer by identifying the channel information stored on the cartridge. (Hanaoka, Paragraph [0071].

Second, the system determines whether the person attempting to use the printer itself is authorized to use the rental printer by comparing the permit ID stored in the printer to the permit ID received from the user. (Paragraphs [0072]-[0074]). As noted above by Applicants, the system of Hanaoka does not determine whether a person is authorized to use the ink in the cartridge of Hanaoka based upon what the person enters as his or her permit ID. This system of Hanaoka does not have a processor that is "configured to determine if a prospective user is authorized to use the resource based upon the authorization input and interaction with the granting interface coupled to the resource.

Asakura is no different. Although Asakura does not authorize use of a printer by comparing a permit ID stored in the printer and a permit ID received from a user, like Hanaoka, Asakura prevents use of an unauthorized cartridge (not an unauthorized user). Asakura prevents unauthorized cartridges from being used by comparing a source identifying user ID code stored in the printer with a source identifying user ID code stored on the cartridge. NOTE that Asakura's test for determining whether a cartridge is authorized or unauthorized is NOT based upon ANY input through a user interface from a prospective user. As noted above, Hanaoka's test is exactly the same in that Hanaoka's test for determining whether a cartridge is authorized or unauthorized is NOT based upon ANY input through a user interface from a prospective user. In contrast, claim 1 of the present application requires that the determination of whether a user is authorized to use the resource be based upon his or her input through a user interface.

Even, assuming, arguendo, that it would be obvious to combine the teachings Hanaoka Asakura, the hypothetical combination would merely result in a system wherein authorization to use a printer is first determined using user input (as taught by Hanaoka) and wherein the authenticity of a cartridge is determined by comparing a "user ID code" stored in the processor memory to the "user ID code" stored on the cartridge memory. The user ID code is not input from a prospective user, but is stored on the system by the service center or agency that installed the original cartridge in the printer. This hypothetical combination would still lack what claim 1 requires: that the determination of whether a prospective user is authorized to use the resource be

based upon two factors: (A) the authorization input received by a user interface **and** (B) the authorization granting interface coupled to the resource.

Accordingly, the rejection of claim 1 should be withdrawn. The rejection of claims 2-11, 13-15, 18-21, 54 and 59, which depend from claim 1, should be withdrawn for at least the same reasons.

B. Claim 22 and 46

Claim 22 recites an authorization granting interface coupled to a resource and "configured based upon authorized users of the resource." Claim 46 recites a method which includes "coupling authorization data identifying authorized users of the resource to the resource." (Emphasis added)

Neither Hanaoka nor Asakura, alone or in combination, disclose an authorization granting interface coupled to a resource and "configured based upon authorized users of the resource" or a method which includes "coupling authorization data identifying authorized users of the resource to the resource." In rejecting claims 22 and 46, the Office Action acknowledges that Hanaoka fails to disclose an authorization granting interface coupled to a resource that is configured based upon authorized users of the resource. As a result, the Office Action attempt to additionally rely upon Asakura and its use of the term "user ID code" in the specification.

However, as noted above with respect to the rejection of claim 46 Asakura alone, the term "user ID code", taken out of context from the rest of the disclosure of Asakura, is misleading. Although it is unclear whether this is a result of the translation of the originally filed Japanese application, what is clear is that the term "user ID code" used to identify counterfeit or pirated cartridges does not identify AUTHORIZED USERS of the cartridge. At most, the user ID code merely appears to identify the supplier of the cartridge, the agency or service center which installed the cartridge in the printer. This would make sense given that the purpose of the user ID code is to prevent counterfeit or pirated cartridges, not to delineate a subset of persons who may

use the cartridge. Accordingly, the rejection of claims 22 and 46 should be withdrawn. The rejection of claims 23-25, 27-28, 30, 33 and 55, which depend from claim 22, and claims 47-51, which depend from claim 46, should be withdrawn for at least the same reasons.

C. Claim 51

Claim 51 depends from claim 46 and intervening claim 47. Claim 51 recites that coupling authorization data includes coupling an optically readable code for providing the authorization data to the consumable resource.

Neither Hanaoka nor Asakura, alone or in combination, disclose coupling authorization data includes coupling an optically readable code for providing the authorization data to the consumable resource. The Office Action's rejection of claim 51 fails to articulate where either Hanaoka or Asakura allegedly discloses the limitations of claim 51. Moreover, Applicants respectfully direct attention to the indicated allowability of claim 29. Accordingly, it is believed that the rejection of claim 51 should be withdrawn.

D. Claims 54 and 55

Claim 54 and 55 depend from claim 1 and 22, respectively, and further indicate that the authorization granting interface identifies a person who is authorized to use the resource.

As noted above, the "user ID code" of Asakura does not identify a person who is authorized to use the resource. Accordingly, the rejection of claim 45 should be withdrawn.

III. Rejection of claims 34, 37-44 and 60 under 35 USC 103(a) based upon Hanaoka and Haruna

Section 9 of the Office Action rejected claims 34, 37-44 and 60 under 35 USC 103(a) as being unpatentable over Hanaoka US Patent Publication 2006/0045595 in view of a Japanese Application 2003122209. Claims 39 and 40 are canceled. Claims 34, 37-38 and 41-44, as amended, overcome the rejection.

Claim 34, as amended, recites an image forming device comprising:

a printing mechanism configured to print images;

a dock configured to removably receive a cartridge containing a consumable resource for use by the device to form a product having a printed image;

a user interface configured to receive an identity of a person;

a sensor configured to identify authorization data associated with the cartridge, the authorization data comprising identification of persons or groups of persons and portions of the consumable resource allotted to each person or groups of persons; and

a controller configured to limit use of the resource by the device based upon identified authorization data associated with the cartridge, wherein the controller is configured to permit use of a predetermined portion of the resource by the device based upon a comparison of identified authorization data associated with the cartridge and the identity of the person received by the user interface.

Support for the amendment to claim 34 may be found at least Paragraph [0017]. Thus, no new matter is believed to be added.

Neither Hanaoka nor Haruna, alone or in combination, disclose (1) a sensor that identifies authorization data comprising identification of persons or groups of persons and portions of the consumable resource allotted to each person or groups of persons and (2) a controller that permits a predetermined portion of resource by comparing the identified authorization data associated with the cartridge to the identity of the person received by the user interface.

1. Neither Hanaoka nor Haruna, alone or in combination, disclose a consumable resource having authorization data comprising identification of persons or groups of persons and portions of the consumable resource allotted to each person or groups of persons.

As acknowledged by the Office Action in its rejection of claim 1, Hanaoka does not disclose a cartridge having authorization data which identifies a person or a prospective user. As a result, the Office Action attempted to additionally rely upon Haruna.

However, Haruna does not disclose a cartridge with authorization data which includes either of (A) person or groups of persons or (B) allotments of portions of the considerable resource to each identified person or groups of persons. In contrast, Haruna merely discloses a print cartridge memory on which is recorded the number of pages or the amount of money left in the account for printing. Haruna failed to disclose that persons (plural) or groups of persons are stored in the cartridge memory, let alone what portion is allotted to each person or groups of persons. Accordingly, claim 34, as amended, overcomes the rejection for this reason alone.

2. Neither Hanaoka nor Haruna, alone or in combination, disclose a controller that permits a predetermined portion of resource by comparing the identified authorization data associated with the cartridge to the identity of the person received by the user interface.

As noted above, Hanaoka discloses the use of the user interface to authorize use of a printer. Hanaoka does not disclose the use of user interface to authorize use of a predetermined portion of ink in a cartridge. Haruna is no different in that Haruna does not authorize use of a predetermined portion of ink in a cartridge based upon an identity of a person received by user interface. In contrast, Haruna appears to merely read the dollar amount or number of pages stored on the print cartridge memory to determine if a person has paid enough to print the requested document. Accordingly, claim 34, as amended, overcomes the rejection for this additional reason. Claims 37-44 and 60 depend from claim 34 and overcome the rejection for at least the same reasons.

IV. Added Claims

With this response, claims 61 and 62 are added. Claim 61 and 62 are believed to be patentably distinct over the prior art of record.

A. Claim 61

Claim 61 depend from claim 1 and further recites that the processor is configured to determine if the prospective user is authorized to use the resource based upon a **comparison** of

the authorization input and interaction with the granting interface, wherein the prospective user is authorized to use the resource if the authorization input and interaction with the granting interface satisfy a predefined relationship. Support for added claim 61 may be found in at least Paragraph [0046]. Thus, no new matter is believed to be added.

The prior art of record fails to disclose that the processor is configured to determine if the prospective user is authorized to use the resource based upon a **comparison** of the authorization input and interaction with the granting interface, wherein the prospective user is authorized to use the resource if the authorization input and interaction with the granting interface satisfy a predefined relationship. Thus, claim 61 is presented for consideration and allowance.

B. Claim 62

Claim 62 depends from claim 1 and further recites that the authorization granting interface identifies a plurality of persons or groups of persons, each of the plurality of persons or groups of persons assigned a different extent of rights to use the resource. Support for claim 62 may be found in at least Paragraph [0017]. Thus, no new matter is believed to be added.

The prior art of record fails to disclose the control unit of claim 22, wherein the authorization granting interface identifies a plurality of persons or groups of persons, each of the plurality of persons or groups of persons assigned a different extent of rights to use the resource.. As noted above, Haruna does not disclose a cartridge that stores the identification of persons and their associated allotments. Accordingly, claim 62 is presented for consideration and allowance.

V. Conclusion

After amending the claims as set forth above, claims 1-34, 37-38, 41-51 and 54-62 are now pending in this application.

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

Atty. Dkt. No. 200312834-1

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 08-2025. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 08-2025. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 08-2025.

Respectfully submitted,

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